



UNITED STATES
SECURITIES AND EXCHANGE COMMISSION
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MEMO ENDORSED

Via Facsimile

Hon. P. Kevin Castel
Daniel Patrick Moynihan
United States Courthouse
500 Pearl St., Room 2260
New York, NY 10007

USDS SDNY
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RE: S.E.C. v. Empire Development Group, LLC et al. (07 Civ. 3896
(PKC))

Dear Judge Castel:

We write to seek clarification concerning the briefing schedule set in the above-titled action. In the Court's May 30, 2008 Memorandum and Order, Your Honor directed the Commission to "make an updated supplemental submission on relief by June 20, 2008" and directed that "defendants may respond by July 10, 2008 and the SEC may reply by July 23, 2008." The Commission submitted its supplemental submission by the Court's deadline, but received no response from defendants. On July 10, 2008, we were informed by Defendant Felix Strashnov that this Court had granted orally Mr. Strashnov's request for an extension of time until July 24, 2008 to respond to the Commission's submission.

The Commission does not object to Mr. Strashnov's request for an extension of time. We note, however, that the docket in this case does not appear to reflect any extension of time for any defendant to respond and, similarly, does not indicate when any reply from the Commission shall be due. We therefore respectfully request that if there has been a change to the briefing schedule set by the Court in its May 30th Order, the Court enter an order or otherwise inform the Commission of any change to the schedule. Please do not hesitate to contact us if we can be of any assistance in this matter.

Respectfully,

Michael D. Birnbaum

Michael D. Birnbaum
Attorney
Division of Enforcement

*Mr. Strashnov
was responded by
July 24 as the SEC
was reply to the submission
of all defendants
by August
26.
SO ORDERED
P. Kevin Castel
USDS
7-16-08*